

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. 10/713,279 Confirmation No.: 1104
Applicant(s): LORENZO COSTA, ET AL.
Filed: November 14, 2003
TC/A.U. 1754
Examiner: Maribel Medina Sanabria
Title: Sol-Gel Process for the Manufacture of Nanocomposite Photoluminescent
Materials and Materials Thus Produced

Docket No.: 033965.0021
Customer No.: 25461

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Sir:

AMENDMENT

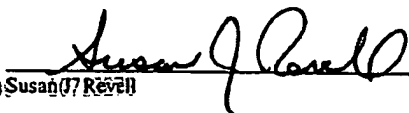
In response to the Office Action of September 3, 2004, please amend the application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 8 of this paper.

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on December 29, 2004.



02/03/2005 RWIHBUSH 00000007 02430 Susan J Powell

01 FC:1202 350.00 DA
02 FC:1201 200.00 DA

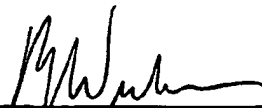
in the red light region, that only occurs if the material is treated at higher than 1000° C. The material is not photoluminescent in the infrared region as is the nanocomposite material defined by the present claims. Moreover, the material does not show infrared absorbance as does the claimed nanocomposite material. Consequently, *Mutti* does not describe the claimed subject matter within the meaning of 35 U.S.C. § 102. Neither are there any suggestions, reasons or motivation in *Mutti* whereby a person skilled in the art would arrive at the process of producing the product or the product itself as defined in the present claims. Nothing would lead a person having ordinary skill in the art to modify the *Mutti* substances so as to have photoluminescence in the red light region or to create a material having photoluminescence in the infrared region at ambient temperature and having infrared absorbance.

For the reasons set forth above, applicants respectfully submit that the rejections are not proper and should be withdrawn.

Favorable action at the Examiner's earliest convenience is respectfully requested.

Respectfully submitted,

SMITH, GAMBRELL & RUSSELL, LLP

By: 
Robert G. Weilacher, Reg. No. 20,531

Suite 3100, Promenade II
1230 Peachtree Street, N.E.
Atlanta, Georgia 30309-3592
Telephone: (404) 815-3593
Facsimile: (404) 685-6893

LIT833957.1